



JCO3 Rec'd PCT/PTO 1 3 SEP 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Confirmation No.: 28653

Del Soldato *et al.*

Group Art Unit: Unknown

Application Serial No.: 10/516,938 ✓

Examiner: Unassigned

Filed: June 20, 2003

Attorney Docket No.: 026220-00058

For: Nitrooxyderivatives of Cyclooxygenase-2 Inhibitors

September 13, 2005

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RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED

12 JAN 2006

Sir:

Legal Staff  
International Division

In response to the Notification of Missing Requirements dated May 23, 2005, the applicants respectfully submit:

- 1) a Declaration with the signature of inventor Giancarlo SANTUS. The signature of Piero DEL SOLDATO is missing as he refuses to join in the application (Piero DEL SOLDATO is a non-signing inventor);
- 2) a Petition for a two-month extension of time;
- 3) a Petition under 37 C.F.R. §1.47(a);
- 4) a check that includes the \$65.00 surcharge for submitting a late oath or declaration and \$225.00, the fee for a two-month extension of time for a small entity, and
- 5) a copy of the Notification of Missing Requirements.

In the event that this response is not timely filed, the applicants hereby petition for an appropriate extension of time. The fee for this extension, along with any

09/16/2005 GFREY1 00000128 10516938

01 FC:2017  
02 FC:2253

65.00 OP  
225.00 OP

RPP/134431.1

01/17/2006 08:00:00  
See REF: 00000002 DAA: 012300  
01 FC:1463  
10516938  
138.00 OP

Application Serial No.: 10/516,938  
Inventor: Del Soldato et al.  
Attorney Docket No.: 026220-00058

additional fees required with respect to this response, may be charged to Deposit Account No. 01-2300, referencing Attorney Docket No. 026220-00058. The Commissioner is also authorized to credit any over-payments to Deposit Account No. 01-2300, referencing Attorney Docket No. 026220-00058.

Respectfully submitted,

ARENT FOX PLLC



Gautam Prakash, Ph.D.

Registration No.: 53,481

Direct Telephone No.: 202-857-6057

Customer No.: **004372**

1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5339

Telephone No.: 202-857-6000  
Facsimile No.: 202-857-6395

/GP



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,938	Piero Del Soldato	026220-00058

INTERNATIONAL APPLICATION NO.
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PCT/EP03/06502

LA. FILING DATE	PRIORITY DATE
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06/20/2003

06/25/2002

004372  
 ARENT FOX PLLC  
 1050 CONNECTICUT AVENUE, N.W.  
 SUITE 400  
 WASHINGTON, DC 20036

CONFIRMATION NO. 8653

371 FORMALITIES LETTER



\*OC000000016084624\*

Date Mailed: 05/23/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/14/2004
- Copy of the International Search Report filed on 12/14/2004
- Preliminary Amendments filed on 12/14/2004
- Information Disclosure Statements filed on 12/14/2004
- Small Entity Statement filed on 12/14/2004
- Request for Immediate Examination filed on 12/14/2004
- U.S. Basic National Fees filed on 12/14/2004
- Priority Documents filed on 12/14/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,938	PCT/EP03/06502	026220-00058

FORM PCT/DO/EO/905 (371 Formalities Notice)